

REMARKS

Upon entry of the present amendment, claims 1 and 4-10 will remain pending in the above-identified application and stand ready for further action on the merits.

Claims 1, 4-6 and 8-9 have been amended herein. The amendments made herein to the claims do not incorporate new matter into the application. For example, claim 1 has been amended in order to clarify that the abrasive slurry of the present invention does not contain a third component (e.g., a pH buffer) which materially affects the basic and novel characteristic of the present invention.

Proper consideration of each of the pending claims (i.e., claims 1 and 4-10) is respectfully requested at present, as is entry of the present Amendment. In this regard, the instant amendments do not raise substantial new issues for the Examiner's consideration and require no further search on the Examiner's part. At the same time, the instant amendments put the pending claims in condition for allowance and into a more proper format for issuance in a United States patent, by overcoming all outstanding rejections and objections of record.

Interview

Applicants appreciate the Examiner's courtesy in allowing Applicants representatives to conduct a Personal Interview at the USPTO on March 14, 2006. The Examiner's comments as set forth in the Interview Summary Form are correct with respect to the discussion that took place during the interview.

Rejection under 35 U.S.C. §112, First and Second Paragraphs

At pages 2-3 of the Office Action, claims 9-10 have been rejected under 35 U.S.C. §112, first and second paragraphs, as failing to comply with the written description requirement and being indefinite because of the term “essentially”.

In claim 9, as currently amended, the term “essentially” has been deleted. Thus, this rejection has been rendered moot.

Accordingly, Applicants respectfully request that this rejection be withdrawn.

Rejections under 35 USC § 103(a)

At pages 3-4 of the Office Action, claims 1 and 4-10 have been rejected under 35 USC § 103(a) as being unpatentable over Tanaka US'487 (US 6,312,487).

Reconsideration and withdraw of each of this rejection is respectfully requested based on the following considerations.

Distinction over Tanaka US'487

As recited in claim 1, the abrasive slurry of the present invention consists essentially of the specific abrasive fine particles, the specific colloidal fine particles and the dispersion medium.

In contrast, the abrasive slurry disclosed in Tanaka US'487 contains, for example, a pH buffer (for example, see claim 1 of Tanaka US'487).

Since the present claimed invention cannot contain a pH buffer, the present invention is distinguished from Tanaka US'487.

Furthermore, the present invention has the following technical features A and B:

Feature A

“a particle size ratio (D_c/D_p) of the average particle size (D_c) of the colloidal fine particles to the average particle size (D_c) of the colloidal fine particles to the average particle size (D_p) of the abrasive fine particles is 10 or less”

Feature B

“a weight distribution ratio (C_c/C_p) of the particle concentration (C_c) of the colloidal fine particles to the particle concentration (C_p) of the abrasive fine particles is 1 or less”

Tanaka US '487 fails to disclose and/or suggest either of the above Features A or B.

For example, the Tanaka US '487 reference merely discloses an abrasive slurry having a weight distribution ratio of “1.7 or more” of the particle concentration (C_c) of SiO_2 to the particle concentration (C_p) of the abrasive fine particles (ZrO_2 , CeO_2 , and Al_2O_3) as described in Experiment Nos. 17 & 18 of Table 1-2 (*see* columns 8-9 of the Tanaka US '487 reference).

Therefore, Tanaka US '487 fails to disclose or suggest Feature B of the present invention, i.e., the weight distribution ratio (C_c/C_p) of the abrasive slurry of the present invention is 1 or less. Moreover, the Tanaka US '487 reference actually teaches away from Feature B of the presently claimed invention.

A *prima facie* case of obviousness is not established based on the cited Tanaka US '487 reference, since the cited reference fails to disclose or suggest the Features A and B of the present invention.

Unexpected Results

Moreover, the present invention has unexpected results associated therewith that are not expected from Tanaka US '487. As shown in the Declaration under 37 CFR § 1.132 of Mr. Toshiaki ASO, which was filed with the previous reply dated October 11, 2005, on the basis of the Features A and B mentioned above, the abrasive slurry of the present invention exhibits excellent dispersion stability over a long period of time, as well as satisfactory redispersion properties. The abrasive slurry of the present invention can be used as a dispersant-free abrasive containing substantially no organic dispersant. Such results are not foreshadowed by the disclosure of Tanaka US '487.

Accordingly, the present invention (claim 1 and dependent claims 4-10) is not anticipated by or obvious over Tanaka US '487. The rejections of record are respectfully traversed and reconsideration and withdraw thereof are respectfully requested.

CONCLUSION

In view of the above amendments and arguments, Applicants believe that the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gerald M. Murphy, Jr. (Reg. No. 28,977) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

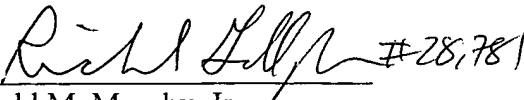
Application No. 10/779,680
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Docket No.: 1752-0165P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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